

DRAFT
TOWN BOARD MEETING

July 13, 2005

Supervisor Pagones opened the Summer Town Board meeting at 7:30 pm, Mt. Gulian, Sterling Street, Beacon, New York and led the audience with the "Pledge of Allegiance".

Present: Supervisor Joan A. Pagones; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney, Ronald Blass; Paul Gromkowski, Housing Director; County Legislator, Camile Price; Receiver of Taxes, James A. Foy; Susan McGuire, Personnel Director; Kyle Barnett, Esq.; Rebecca Valk, Esq., Eugene Ninnie – Chiulli; Richard Rang - Merritt Park Condominiums; Albert Roberts, Esq., - Aveonis Townhouses; Residents - Dr. Eberle, James & Catherine Wick, Judith Solomon, Pearl Grady, Kenneth Stenger, Esq., Peg Birney,

PUBLIC HEARING(s)

Local Law amending zoning map - Merritt Park Condominiums

Supervisor Pagones read (**copy attached to original minutes**) the legal notice for the enactment of a local law amending the zoning map of Chapter 150 "Zoning" to change the district designation of certain real property (Merritt Park Condominiums) from R-4A to RMF-5.

Public hearing opened at 7:31

Richard Rang identified the site on a site plan. Explained why the rezoning is requested.

Supervisor Pagones asked the audience if anyone would like to speak on this item, hearing none she stated she would entertain a motion to close the public hearing.

Motion made by Councilman Ferguson **to close the public hearing.**

Seconded by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Public hearing closed at 7:33 pm

Establishment of Aveonis Sewer District

Supervisor Pagones read (**copy attached to original minutes**) the legal notice for the establishment of Aveonis Sewer District.

Public hearing opened at 7:33 pm

Supervisor Pagones asked the audience if anyone would like to speak on this item. Hearing none, she stated she would entertain a motion to close the public hearing.

Motion made by Councilman Zack **to close the public hearing.**

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Public hearing closed at 7:35pm

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Establishment of Aveonis Water District

Supervisor Pagones read (**copy attached to original minutes**) the legal notice for the establishment of the Aveonis Water District.

Public hearing opened at 7:33 pm

Hearing no comments a

Motion was made by Councilman Zack **to close the public hearing.**

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

Motion made by Councilman Ferguson **to go into the privilege of the floor for agenda items. Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

Regular Order of Business

Motion made by Councilman Zack **to go back into the regular order of business. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

ANNOUNCEMENTS

Two (2) Town of Philipstown notice of public hearing

Supervisor Pagones read (**copy attached to original minutes**) a public hearing notice from the Town of Philipstown for a local law to amend their Code entitled "Freshwater Wetlands and Watercourses" to be held on July 14, 2005 at 7:30 pm.

Supervisor Pagones read (**copy attached to original minutes**) a public hearing notice from the Town of Philipstown for a local law to amend their Code to add self storage facility to the schedule of permitted uses to be held on July 20, 2005 at 7:45 pm.

Appreciation letter to Ed Peters

Supervisor Pagones read (**copy attached to original minutes**) a letter from John A. Ferraro complimenting Ed Peters of his qualified professionalism and knowledge.

To go into Ed Peter's personnel file.

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Funding of \$30,000 for the Hudson River LWRP

Supervisor Pagones read (**copy attached to original minutes**) a letter announcing that the Town of Fishkill will be funded \$30,000 for the Planning for Fishkill/Hudson River LWRP.

APPROVAL OF MINUTES

May 18, 2005 - June 15, 2005 - Regular

Supervisor Pagones stated that the minutes of May 18, 2005 and June 15, 2005 were distributed for the Board's review and she would entertain a motion to approve said minutes.

Motion made by Councilman Ferguson **to approve the minutes of May 18, 2005 and June 15, 2005 as submitted.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

MOTION(s) TO APPROVE/ADOPT

Toll Brothers – Fishkill Commons @ Westage

Supervisor Pagones announced that the application for the Toll Brothers - Fishkill Commons @ Westage is in the Town Clerk's office and the Board will accept the application and refer such to the appropriate consultants.

Inter-municipal agreement - Purchase of Hobbitt Farm

Supervisor Pagones read (**copy attached to original minutes**) a resolution/agreement for the inter-municipal agreement between Town of Wappingers and Town of Fishkill for the purchase of the Hobbitt Farm.

Motion made by Supervisor Pagones **to authorize the Supervisor to sign the inter-municipal agreement with the Town of Wappingers for the purchase of the Hobbitt Farm.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

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Agreement for Solar Power - Shephard Park

Supervisor Pagones read (**copy attached to original minutes**) an agreement for solar power between Hudson Valley Clean Energy, Inc. - Keith Christenson and the Town of Fishkill for Photovoltaic Generating System Purchase.

Motion made by Supervisor Pagones **to authorize the Supervisor to sign the agreement with Hudson Valley Clean Energy, Inc. - Keith Christenson for Photovoltaic Generating System Purchase.**

Seconded by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Connection to Water and Sewer by Towne Inn of Fishkill

Supervisor Pagones read (**copy attached to original minutes**) a letter from David S. Newman, Bardo's Fishkill Motor Inn a/k/a Towne Inn of Fishkill requesting a review of bringing water and sewer onto their site.

Motion made by Councilwoman Malvarosa **to refer this item to John Andrews, Town Engineer, to pursue possible inclusion to the Village of Fishkill water.** **Seconded** by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Approval for fireworks on August 02, 2005 - Hudson Valley Renegades

Supervisor Pagones read (**copy attached to original minutes**) a letter from Kathy Butsko requesting permission to reschedule the cancelled fireworks to be held on Tuesday, August 02, 2005.

Motion made by Councilman Zack **to approve the request to allow the rescheduling of fireworks by the Hudson Valley Renegades to be held on August 02, 2005.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Access to Haight Highway by Brian Callahan

Supervisor Pagones read (**copy attached to original minutes**) a memo from Highway Superintendent, Glenn Scofield, in reply to a request from Mr. Callahan to use Haight Highway.

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After discussion this item was referred to the Town attorney's office for the necessary paper work.

Two additional connections to the Rombout Water and Sewer Districts
Supervisor Pagones read (**copy attached to original minutes**) a letter from James and Catherine Wick requesting permission for two additional connections to the soon-to-be- expanded water and sewer districts currently being installed in front of their property by Toll Brothers.

Motion made by Councilman Zack **to approve the request for two additional connections to the soon-to-be-expanded water and sewer districts currently being installed on Route 9D by Toll Brothers.**

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

Request for court disposition for violator(s)

Supervisor Pagones read (**copies attached to original minutes**) two requests from Ed Peters to be allowed to submit to court for court disposition of violations.

Motion made by Councilman Zack **to approve the court dispositions for two violators as submitted by Ed Peters.** **Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

Use of one voting machine by Blodgett Memorial Library

Supervisor Pagones read (**copy attached to original minutes**) a letter from Julie Spann, Blodgett Memorial Library, to use a voting machine be installed for the election to be held on 09-13-2005.

Motion made by Councilwoman Malvarosa **to approve the use of one voting machine by the Blodgett Memorial Library for their election to be held on 09-13-2005.** **Seconded** by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

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Liquor license - Fishkill Sierra Associates

Motion made by Councilman Ferguson **to approve the liquor license application as submitted by Fishkill Sierra Associates.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Temporary Leave of Absence for Police Officer Melissa Morrill

Councilman Ferguson read (**copy attached to original minutes**) a letter requesting a temporary leave of absence effective July 10, 2005 through January 10, 2006 from Police Officer Melissa Morrill and made a **Motion to approve said request.** **Seconded** by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Request to go out to bid for police surplus vehicles

Motion made by Councilman Ferguson **to authorize Police Chief, Donald Williams, to go out to bid for the police surplus vehicles.** **Seconded** by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Siscar easement acquisition

Supervisor Pagones read (**copies attached to original minutes**) the Short Environmental Assessment Form and the Negative Declaration for the Siscar Drainage Improvements for the acquisition of properties of Dika, Leonardo, and Navarro.

Motion made by Councilman Zack **to adopt the Negative Declaration for the Siscar Drainage Improvements as submitted.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

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Motion made by Supervisor Pagones **to authorize the final offers to the Dikas, Leonardo, and Navarro for the acquisition of easements for the Siscar Development for purposes of water and sewer for the that development and authorizes the Town representative to take the necessary steps for condemnation relief if the offers are rejected.**

Seconded by Councilman Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

MOTION(s) TO ACCEPT RESIGNATION

Building Inspector - George McGann

Supervisor Pagones read (**copy attached to original minutes**) a letter of resignation from George McGann as Building Inspector effective July 03, 2005.

Motion made by Councilman Zack **to accept the resignation of George McGann as Building Inspector with regrets to be effective July 03, 2005. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

MOTION(s) TO APPOINT

College Intern Municipal Searches - Dena McKinney

Motion made by Councilman Zack **to appoint Dena McKinney as a College Intern for Municipal Searches. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

Police facility cleaner - Nancy Leggett

Motion made by Councilman Ferguson **to appoint Nancy Leggett as cleaner at police facility at \$11.63 per hour. Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried

Code Enforcement Officer - Donald Cocker
Motion made by Councilman Zack **to appoint Donald Cocker as Code Enforcement Official as part time Building Inspector at \$20.80 per hour. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Code Enforcement Officer - Jeffrey Marino
Motion made by Councilman Zack **to appoint Jeffrey Marion as Code Enforcement Official as part time Fire Inspector at \$20.80. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Summer Recreation Counselor - Roseanne Christian
Motion made by Councilman Zack **to appoint Roseanne Christian as a Counselor for the summer recreation program. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

BUDGET TRANSFERS
Motion made by Councilwoman Malvarosa **to approve the budget transfers as submitted as follows:**

Comptroller	\$ 450,000	to establish budget for land acquisition for recreation building
Comptroller	\$ 2,634	to cover intern expenses, including stipends and maps
Highway	\$ 5,000	to purchase more black top for road repairs
Recreation	\$ 100	to help pay for summer band concert
Comptroller	\$ 250	to cover fuel for central garage car

(copies attached to original minutes)
Seconded by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

NEW and OLD BUSINESS

Councilwoman Malvarosa

Animal Disaster is moving slowly but is moving along and hopefully will be done by fall.

The 911 monument is almost done, the clay form is done and ready to go to casting, the excavation will be started next week, and the ceremony will begin at 8:30 am on September 11th

Councilman Zack

He stated that the work being done is being utilized by the apprenticeships that the Town had passed local law.

Councilman Ferguson

The 2nd meeting with the fire departments for the fire training center was held, they are having a grant writer to come in for funding of the center.

Councilman Leenig

Stated that the VFW's average age is 86 years old and he is the youngest of them all.

Supervisor Pagones

Announced that two new fire houses being built, one in Chelsea and one in Dutchess Junction and will be dedicated some time in the fall, she encourages volunteer firemen. She stated she and her husband had the opportunity to read the Declaration of Independence in the Village of Fishkill. She thanked Elaine from Mt. Gulian as she offered the costumes they wore.

Aveonis Water and Sewer Districts

Supervisor Pagones read (**copies attached to original minutes**) the resolutions for the Establishment of the Aveonis Water District and for the Establishment of the Aveonis Sewer District.

Motion made by Councilman Ferguson to adopt and approve the establishment of Aveonis Water District and the establishment of the Aveonis Sewer District. Seconded by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

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Capital Asset Policy

Motion made by Councilwoman Malvarosa **to adopt and approve the Capital Asset Policy for the GASB 34. Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Local Law – no parking zones

Supervisor Pagones read (**copy attached to original minutes**) a resolution introducing a local law amending Chapter 143-10 to establish no parking zones on both sides of Ridge Road and to set a public hearing on August 17, 2005 @ 9:30 pm.

Motion made by Councilman Ferguson **to set a public hearing on August 17, 2005 at 9:30 am for the enactment of a local law amending Chapter 143-10 to establish no parking zones on both side of Ridge Road. Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

ADJOURNMENT

Motion made by Councilman Zack **to adjourn the meeting. Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried

Meeting adjourned at 8:15 pm

Respectfully submitted,

Darlene Bellis
Town Clerk